WOMAN'S SUFFRAGE

IN

ILLINOIS

P. J. LUCEY
Attorney General

[Printed by authority of the State of Illinois.]

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PREFACE.

Frequent requests are made to this department for information and opinions in regard to woman's suffrage in Illinois. While these inquiries frequently do not come from official sources, so that it is no part of my official duties to answer them, I believe that the public interest requires me so to do, and I have furnished information and given unofficial opinions upon questions arising under the laws relating to woman's suffrage in Illinois, whenever I could consistently do so without interjecting my views into a local controversy.

I am of the opinion that the issuance and general distribution of a pamphlet containing information and suggestions as to the woman's suffrage law in this State would be of convenience and assistance, and therefore I have prepared this pamphlet.

P. J. LUCEY, *Attorney General.*

WOMAN'S SUFFRAGE ACT OF 1891.

AN ACT *to entitle women to vote at any election held for the purpose of choosing any officer under the general or special school laws of this State.* [*Approved June 19, 1891.*]

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Any woman of the age of twenty-one years and upwards, belonging to either of the classes mentioned in Article 7 of the Constitution of the State of Illinois, who shall have resided in this State one year, in the county ninety days, and in the election district thirty days preceding any election held for the purpose of choosing any officer of schools under the general or special school laws of this State, shall be entitled to vote at such election in the school district of which she shall at the time have been for thirty days a resident: *Provided*, any woman so desirous of voting at any such election shall have been registered in the same manner as is provided for the registration of male voters.

§ 2. Whenever the election of public school officers shall occur at the same election at which other public officers are elected, the ballot offered by any woman entitled to vote under this act shall not contain the name of any person to be voted for at such election except such officers of public schools, and such ballots shall all be deposited in a separate ballot box, but canvassed with other ballots cast for school officers at such election.

Hurd's Statutes, 1916, chapter 46, paragraphs 332, 333.

SCHOOL ACT OF 1909.

Section 270 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909:

"Any woman who is a citizen and has attained to the age of 21 years, who shall have

resided in the State one year, in the county ninety days and in the election district thirty days preceding any election held for the purpose of choosing any school officer under the general or special school laws of this State, shall be entitled to vote at such election, when registered in the manner provided by law. If the election of school officers shall occur at the time other public officers are elected, the ballot offered by any woman shall contain only the names of candidates for school officers. Such ballots shall be deposited in a separate ballot box, but canvassed with other ballots cast for school officers at such election."

Hurd's Statutes, 1916, chapter 122, paragraph 270.

WOMAN'S SUFFRAGE ACT OF 1913.

AN ACT *granting women the right to vote for presidential electors and certain other officers, and to participate and vote in certain matters and elections.* [*Approved June 26, 1913.*]

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all women, citizens of the United States above the age of twenty-one years, having resided in the State one year, in the county ninety days, and in the election district thirty days next preceding any election therein shall be allowed to vote at such election for presidential electors, members of the State Board of Equalization, clerk of the Appellate Court, county collector, county surveyor, members of board of assessors, members of board of review, sanitary district trustees, and for all officers of cities, villages and towns (except police magistrates), and upon all questions or propositions submitted to a vote of the electors of such municipalities or other political divisions of this State.

§ 2. All such women may also vote for the following township officers: supervisor, town clerk, assessor, collector and highway commissioner, and may also participate and vote in all

annual and special town meetings in the township in which such election district shall be.

§ 3. Separate ballot boxes and ballots shall be provided for women, which ballots shall contain the names of the candidates for such offices which are to be voted for and the special questions submitted as aforesaid, and the ballots cast by women shall be canvassed with the other ballots cast for such officers and on such questions. At any such election where registration is required, women shall register in the same manner as male voters.

Hurd's Statutes, 1916, chapter 46, paragraphs 546-548.

Held constitutional in *Scown* v. *Czarnecki*, 264 Ill., 305.

QUALIFICATIONS OF WOMEN VOTERS.

To be a qualified voter, a woman must be a citizen of the United States, above the age of twenty-one years, must have resided in the State one year, in the county ninety days, and thirty days in the election district in which she desires to vote.

Foreign-born women, who are otherwise qualified and who have married natural born or naturalized citizens of the United States, become citizens for voting purposes.

Foreign-born women whose parents become naturalized after they have reached their majority are not citizens of the United States.

Foreign-born women whose parents have become naturalized before such women reach their majority are citizens of the United States.

A woman born in the United States of foreign parents, regardless of whether either of her parents was naturalized, is a citizen, unless such parents were temporarily in the United States.

A woman citizen of the United States who marries an alien thereby forfeits her citizenship, whether such alien is a resident of the

United States or not. *Mackenzie* v. *Hare*, 239 U. S., 299.

REGISTRATION.

When registration is required, women shall register in the same manner as men.

The votes of women may be sworn in in the same manner as those of men.

In registering, a woman should state her Christian name. For example: *Mary* Smith and not *Mrs. John* Smith.

In registering, a woman should state her exact age in number of years.

OFFICERS FOR WHOM WOMEN MAY VOTE.

STATE.

Electors of President and Vice President of United States;

Trustees of University of Illinois.

DISTRICT.

Member of State Board of Equalization;

Trustees of Sanitary District, including President.

COUNTY.

County Surveyor;

Members of Board of Assessors;

Members of Board of Review.

TOWNSHIP.

Supervisor;

Assistant Supervisor;

Town Clerk;

Assessor;

Collector;

Highway Commissioners;

Poundmaster or other officer elected at town meeting.

CITY.

Mayor;

Aldermen;

City Clerk;

City Treasurer;

City Attorney;

Mayor and Commissioners in cities which have adopted the Commission Form of Municipal Government act.

Where the following offices are created by ordinance and the manner of filling them is provided to be by election:

City Collector;
Marshal;
Superintendent of Streets;
Corporation Counsel;
Comptroller;
Library Directors.

Women may also vote for candidates for other city offices whose creation and manner of being filled are provided for in the same mode.

VILLAGE.

Village Clerk;
Members of Board of Trustees;
Library Directors.

SCHOOL.

School Directors in School Districts;
President and Members of Board of Education (*Plummer* v. *Yost*, 144 Ill., 68);
School Trustees in Townships;
Members of Township High School Board of Education.

AT PRIMARY ELECTIONS.

For such offices as women may vote for at the election for which such primary is held. Hurd's Statutes, 1916, chapter 46, paragraph 494. *People* v. *Byers*, 271 Ill., 600.

OFFICERS FOR WHOM WOMEN MAY NOT VOTE.

STATE.

Governor;
Lieutenant Governor;
Secretary of State;
Auditor of Public Accounts;
Attorney General;

Treasurer;
Superintendent of Public Instruction;
Clerk of the Supreme Court;
Congressmen at Large;
United States Senator;
Delegates at Large and Alternates to National Nominating Conventions (*People* v. *Byers*, 271 Ill., 600).

DISTRICT.

Delegates and Alternates to National Nominating Conventions;
Judge of the Supreme Court;
Judges of the Circuit Court;
Clerk of the Appellate Court;
Representative in Congress;
State Senator;
State Representatives;
State Central Committeemen (*People* v. *Byers*, 271 Ill., 600);
Precinct Committeemen (*People* v. *Byers*, 271 Ill., 600);
Park Trustees;
Park Commissioners.

COUNTY.

County Judge;
Probate Judge;
County Clerk;
Probate Clerk;
Circuit Clerk;
Recorder of Deeds;
Treasurer;
Sheriff;
State's Attorney;
Superintendent of Schools (*People* v. *English*, 139 Ill., 622);
Coroner;
County Commissioners (*People* v. *Czarnecki*, 265 Ill., 489);
County Auditor;
Judges of Superior Court of Cook County;
Clerk of Superior Court of Cook County;
Clerk of the Criminal Court of Cook County;

Highway Commissioners (in counties not under township organization);
District Clerk (in road districts in counties not under township organization).

TOWNSHIP.

Poundmaster at township election (not town meeting);
Justices of the Peace;
Constables;
Library Directors.

CITY.

Police Magistrate;
Judge of City Court;
Clerk of City Court;
Chief Justice of Municipal Court of Chicago;
Associate Judges of Municipal Court of Chicago;
Clerk of Municipal Court of Chicago;
Bailiff of Municipal Court of Chicago;
Ward Committeemen in cities of over 200,000.

PROPOSITIONS FOR WHICH WOMEN MAY VOTE.

Every question or proposition submitted to a vote of the electors of any city, village, town, or other political division of the State, which is submitted under a statutory provision and not under a constitutional provision. *Scown* v. *Czarnecki*, 264 Ill., 305.

For example, the following propositions:

(1) To abolish the poll tax;

(2) To adopt or abolish the single highway commissioner system;

(3) To divide an incorporated town, under paragraph 26, chapter 139, Hurd's Revised Statutes;

(4) To levy an additional tax for maintaining a city park;

(5) To purchase or locate a schoolhouse site;

(6) To issue bonds by a city, village, incorporated town, township, school district, park

district, road district, drainage district, or other political division of the State;

(7) To issue bonds by a county, which will not require the assessment of taxes the aggregate of which will exceed 75c per $100 valuation (Constitution, article 9, section 8);

(8) Every referendum election, except those provided for in the Constitution:

(9) Every vote taken at annual or special town meeting.

PROPOSITIONS FOR WHICH WOMEN MAY NOT VOTE.

[A] Any question or proposition submitted to a vote under any constitutional provision.

For example, the following propositions:

(1) To amend the Constitution:

(2) To amend the Banking act;

(3) To assess county taxes the aggregate of which will exceed 75c per $100 valuation (Constitution, article 9, section 8);

(4) To issue bonds by a county, which will require the assessment of taxes, the aggregate of which will exceed 75c per $100 valuation (Constitution, article 9, section 8);

(5) To divide a county or have any part stricken from or added thereto;

(6) To remove a county seat;

(7) To adopt or discontinue township organization;

(8) To sell or lease the Illinois and Michigan Canal or any part thereof;

(9) To create a new bonded indebtedness in the city of Chicago other than for refunding purposes;

(10) To annex or disconnect territory from the city of Chicago;

(11) To approve any act of the General Assembly in regard to the municipal government of the city of Chicago, under section 34 of article 4 of the Constitution.

[B] Any question or proposition submitted to voters who are not the electors of an or-

ganized city, village, town, or other political division of the State.

For example, the following propositions:

(1) To organize a high school district under the Township High School act of 1911 (*People* v. *Peltier*, 265 Ill., 630; *People* v. *Militzer*, 272 Ill., 387);

(2) To annex unincorporated territory by women living in such unincorporated territory;

(3) To annex for township high school purposes a school township or a part thereof;

(4) To organize a village;

(5) To organize a new town, under paragraph 26, chapter 139, Hurd's Revised Statutes.

[C] Preferential presidential primaries.

WOMEN MAY SIGN PETITIONS.

(1) For nominations for such offices as they may vote for, either at the primary or general election;

(2) For a referendum vote on such propositions as they may vote on at such referendum elections.

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